

**IN THE UNITED STATES DISTRICT COURT FOR
THE SOUTHERN DISTRICT OF WEST VIRGINIA**

HUNTINGTON DIVISION

SHERRY B.,

Plaintiff,

v.

CIVIL ACTION NO. 3:24-0144

MICHELLE A. KING,
Acting Commissioner of Social Security,

Defendant.

MEMORANDUM OPINION AND ORDER

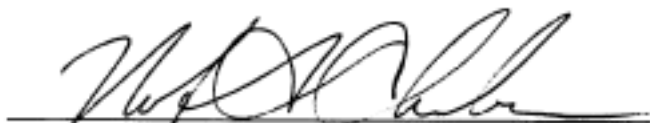
This action was referred to the Honorable Dwane L. Tinsley, United States Magistrate Judge, for submission to this Court of proposed findings of fact and recommendation for disposition, pursuant to 28 U.S.C. § 636(b)(1)(B). The Magistrate Judge has submitted Findings of Fact and recommended that the Court grant Claimant's request for remand (ECF No. 5), deny the Defendant's request to affirm the final decision (ECF No. 6), reverse the final decision of the Acting Commissioner, and remand this matter back to the Acting Commissioner pursuant to the fourth sentence of 42 U.S.C. § 405(g) for further administrative proceedings. No objections to the Magistrate Judge's findings and recommendation have been filed.

Accordingly, the Court accepts and incorporates herein the findings and recommendation of the Magistrate Judge and, consistent with the findings and recommendation, **GRANTS** Claimant's request for remand (ECF No. 5), **DENIES** the Defendant's request to affirm the final decision (ECF No. 6), **REVERSES** the final decision of the Acting Commissioner, and

REMANDS this matter back to the Acting Commissioner pursuant to the fourth sentence of 42 U.S.C. § 405(g) for further administrative proceedings.

The Court **DIRECTS** the Clerk to forward copies of this written opinion and order to all counsel of record, and any unrepresented parties.

ENTER: February 19, 2025

A handwritten signature in black ink, appearing to read 'Robert C. Chambers', is written over a horizontal line.

ROBERT C. CHAMBERS
UNITED STATES DISTRICT JUDGE